

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LEOPOLD MPAWINAYO #260365,)	
)	
Plaintiff,)	
)	NO. 3:21-cv-00915
v.)	
)	JUDGE CAMPBELL
KIMBERLIN ROTHWELL, et al.,)	
)	
Defendants.)	

ORDER

On February 14, 2022, the Court dismissed Plaintiff Leopold MPawinayo’s pro se civil rights complaint. (Doc. No. 6). Petitioner then submitted a filing repeating the same essential allegations as in the Complaint, titled “New Action the Same Cause Complaint Alleging Unlawful Seizure and Imprisonment.” (Doc. No. 8). This filing is dated February 17. (*Id.* at 8). Because Plaintiff filed it within 28 days of dismissal, the Court construes this filing as a motion to alter or amend under Rule 59(e) of the Federal Rules of Civil Procedure.

“A Rule 59 motion should only be granted if there [is] (1) a clear error of law; (2) newly discovered evidence; (3) an intervening change in controlling law; or (4) a need to prevent manifest injustice.” *Michigan Flyer LLC v. Wayne Cnty. Airport Auth.*, 860 F.3d 425, 431 (6th Cir. 2017) (citation omitted). Importantly, “[a] motion under Rule 59(e) is not an opportunity to re-argue a case.” *Id.* (citation omitted). Here, because Plaintiff’s filing essentially repeats the allegations in the Complaint, it does not provide a basis for relief under Rule 59(e).

Accordingly, Plaintiff’s filing (Doc. No. 8), construed as a Rule 59(e) Motion, is **DENIED**.

It is so **ORDERED**.

A handwritten signature in black ink, reading "William L. Campbell, Jr.", written in a cursive style.

WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE